

VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE* IN THE STATE OF SOUTH CAROLINA

In Re: Joint Application and
Petition of South Carolina Electric
& Gas Company and Dominion
Energy, Inc.

Plaintiff

Docket No. 2017-370-E

Case No.

Public Service Commission of
South Carolina

Tribunal

vs.

Mailing Address of Tribunal:

101 Executive Center Dr.

Suite 100

Columbia, SC 29210

Defendant

Comes now Brian D. Schmalzbach, applicant herein, and respectfully represents the following:

1. Applicant resides at:

2139 Buford Road

Street Address

Richmond

N/A

VA

23235

City

County

State

Zip Code

703-864-7326

Telephone

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of)

McGuireWoods LLP

, with offices at

Gateway Plaza, 800 East Canal Street

Street Address

Richmond

N/A

VA

23219

City

County

State

Zip Code

804-775-4746

703-864-7326

804-698-2304

bschmalzbach@mcguirewoods.com

Primary Telephone

Cell Phone

Fax Number

Email Address

3. Applicant has been retained personally or as a member of the above-named law firm by

Dominion Energy, Inc.

to provide legal representation in

connection with the above case now pending before the above-named tribunal of the State of South Carolina.

4. Since May of 2015, applicant has been, and presently is, a

member in good standing of the bar of the highest court of the District of Columbia or the State of

Virginia where applicant regularly practices law. Attached is a certificate of good standing dated within the last 90 days from the bar of the highest court of the District of Columbia or the State where applicant regularly practices law.

5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

Court:	Date Admitted:
See Attached Sheet	

Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below: (List any court named in the preceding paragraph that applicant is no longer admitted to practice before.)

N/A

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, except as provided below (give particulars, e.g., jurisdiction, court date):

True

7. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation):

True

8. Applicant never has had any certificate or privilege to appear and practice before any court or administrative body suspended or revoked, except as provided below (give particulars, e.g., date, court, administrative body, date of suspension and reinstatement):

True

9. Local counsel of record associated with applicant in this case is J. David Black
of the Nexsen Pruet law firm, which has offices at:

1230 Main Street, 700
Street Address
Columbia Richland SC 29201
City County State Zip Code
(803) 540-2072 (803) 609-1650 (803) 727-1409 dblack@nexsenpruet.com
Primary Telephone Cell Phone Fax Number Email Address
068499
South Carolina Bar Number

10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

USDC, DSC - Firemen's Retirement System of St. Louis v. Addison, et al; Case No. 3:18cv501; Granted on 3/12/2018; Local Counsel: Burl Franklin Williams, Nexsen Pruet, 55 East Campberdown Way, Suite 400, Greenville, SC, 29601

USDC, DSC - City of Warren Police and Fire Retirement System v. SCANA; Case No. 3:18cv509; Granted on 3/12/18; Local Counsel: Burl Franklin Williams, Nexsen Pruitt, 55 East Campberdown Way, Suite 400, Greenville, SC, 29601

USDC, DSC - Metzler Asset Management GmbH, et al. v. Aliff, et al; Case No. 3:18cv505; Granted on 3/12/18; Local Counsel: Burl Franklin Williams, Nexsen Pruitt, 55 East Campberdown Way, Suite 400, Greenville, SC, 29601

USDC, DSC - Turner v. Addison, et al; Case No. 3:18cv728; Filed on 7/26/2018; Local Counsel: J. David Black, Nexsen Pruitt, 1230 Main Street, Suite 700, Columbia, SC 29201

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

12. Applicant respectfully requests to be admitted to practice in the above-named tribunal for this case only.

DATED this 10th day of August, 20 18



APPLICANT

VERIFICATIONSTATE OF Virginia)COUNTY OF Richmond)

I, Brian D. Schmalzbach, do hereby swear or affirm under penalty of perjury that I am the applicant in the above-styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true. I understand that I am under a continuing duty to promptly update the information provided in the application until the tribunal has ruled on the motion for admission pro hac vice. Further, if the motion is granted, I understand that I am under a continuing duty to promptly update the information provided in the application as long as I continue to appear pro hac vice in the action or proceeding. Any updated information shall be provided to both the tribunal that granted the motion and to the tribunal in which the action or proceeding may then be pending.

Brian D. Schmalzbach
APPLICANT/AFFIANT

Subscribed and sworn to before me this 10th day of August, 20 2018

Karen Bell Cain

Notary Public for the State of Virginia

My Commission Expires: December 31, 2019

**LOCAL COUNSEL CONSENT**

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 13th day of August, 20 18

J. D. B.

LOCAL COUNSEL OF RECORD

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by mail addressed to: South Carolina Supreme Court Office of Bar Admissions, PO Box 11330, Columbia, SC 29211, accompanied by payment of the \$250 filing fee payable to the South Carolina Supreme Court on this

13th day of August, 20 18

Brian D. Schmalzbach
APPLICANT/AFFIANT

Court	Date Admitted
Supreme Court of the United States	11/6/2017
US District Court, Eastern District of Virginia	2/10/2016
US Court of Appeals for the Federal Circuit	8/12/2015
US Court of Appeals for the 4 th Circuit	10/1/2014
US Court of Appeals for the 5 th Circuit	7/14/2017
US Court of Appeals for the 8 th Circuit	11/27/2016
US Court of Appeals for the 9 th Circuit	11/2014
US Court of Appeals for the 11 th Circuit	5/1/2015
Virginia	2015
Maryland	2011
Washington DC	2012

VIRGINIA STATE BAR

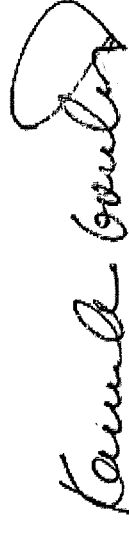
CERTIFICATE OF GOOD STANDING

THIS IS TO CERTIFY THAT **BRIAN DAVID SCHMALZBACH** IS AN ACTIVE MEMBER OF THE VIRGINIA
STATE BAR IN GOOD STANDING. **MR. SCHMALZBACH** WAS LICENSED TO PRACTICE LAW IN VIRGINIA ON
APRIL 17, 2015, AFTER SUCCESSFULLY PASSING THE BAR EXAMINATION GIVEN BY THE BOARD OF BAR

EXAMINERS.

Issued June 21, 2018




KAREN A. GOULD
EXECUTIVE DIRECTOR AND
CHIEF OPERATING OFFICER